

Donna J. McCready  
Ashburn & Mason, P.C.  
1227 West 9<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501  
(907) 276-4331 / phone  
(907) 277-8235 / fax

Attorney for Kimberly Allen

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

KIMBERLY ALLEN, Personal Representative)  
of the ESTATE OF TODD ALLEN, )  
Individually, on Behalf of the ESTATE OF )  
TODD ALLEN, and on Behalf of the Minor )  
Child PRESLEY GRACE ALLEN, )

Case No.: 3:04-CV-0131-JKS

Plaintiffs, )  
)  
)

vs. )  
)  
)

UNITED STATES OF AMERICA, )  
)  
)

Defendants. )  
)  
)

**PROPOSED  
ORDER LIMITING DEFENDANT'S EXPERTS TO  
ONLY TESTIFY WITHIN THE SCOPE OF THEIR EXPERTISE**

The Court, having reviewed the Motion and Memorandum Limiting Defendant's Experts to Only Testify Within the Scope of Their Expertise and supporting exhibits, and having considered any opposition, HEREBY ORDERS that the motion is **GRANTED.**

- Dr. Rubenstein should be restricted from testifying regarding the standard of care for diagnosis and treatment in an emergency room setting and from testifying regarding the logistics of treating emergency neurological conditions *in Anchorage, Alaska*;

- Dr. Levy should be restricted from testifying regarding Mr. Allen's neurological prognosis and chances for survival; and

Dr. Rubenstein and Dr. Levy should both be restricted from testifying regarding the standard of care applicable to an advanced nurse practitioner.

**DATED:** \_\_\_\_\_

\_\_\_\_\_  
Honorable James K. Singleton

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of November, 2006, a copy of the foregoing Proposed Order Limiting Defendant's Experts To Only Testify Within the Scope of Their Expertise was served electronically on Gary Guarino.

/s/ Donna J. McCready

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**ASHBURN & MASON P.C.**  
LAWYERS  
1227 WEST 9TH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501  
TEL 907.276.4331 • FAX 907.277.8235